IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

UNITED STATES OF AMERICA)	
)	
)	Case No. 1:04CR00070
)	
V.)	ORDER
)	
STEWART JUSTUS,)	By: James P. Jones
)	United States District Judge
Defendant.)	

For the reasons set forth in the Opinion accompanying this Final Order, it is ORDERED that the defendant's "MOTION TO ENFORCE TERMS OF PLEA AGREEMENT" (ECF No. 300) is DENIED; the defendant's submission is CONSTRUED as a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C.§ 2241; the Clerk is DIRECTED to docket the pleading (ECF No. 300) as a § 2241 petition, along with this Order, in a separate civil action for administrative reasons only; and that civil action under § 2241 is hereby DISMISSED without prejudice and stricken from the active docket of the court.

ENTER: August 26, 2013

/s/ James P. Jones
United States District Judge